UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MONSANTO COMPANY and
MONSANTO TECHNOLOGY LLC,

Plaintiffs,

v.

E.I. DU PONT DE NEMOURS AND CO. and
PIONEER HI-BRED INTERNATIONAL, INC.,

Defendants.

Case No. 09-cv-0686 (ERW)

EXHIBIT A

November 24, 2010 Letter to
John J. Rosenthal from Amy Mauser

MEMORANDUM IN SUPPORT OF DEFENDANTS' THIRD MOTION TO COMPEL

BOIES, SCHILLER & FLEXNER LLP

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November 24, 2010

Via Email
John J. Rosenthal, Esq.
Winston & Strawn LLP
1700 K Street, N.W.
Washington, D.C., 20006-3817

Re: ***Monsanto Co. and Monsanto Technology LLC v. E.I. du Pont de Nemours & Co. and Pioneer Hi-Bred Int'l, Inc.*, Case No. 09-civ-0686-ERW (E.D. Mo.)**

Dear John:

Based on our review of Monsanto's production, it appears that a number of responsive license agreements have not yet been produced, including the following agreements:

- Syngenta's Roundup Ready 2 Yield License Agreement;
- Dow's Soybean Product License Agreement for the United States (with Varietal Development Rights), dated March 9, 2009;
- Dow's Roundup Ready 2 Yield Soybean Addendum for the United States (with Varietal Development Rights), dated March 9, 2009;
- Dow's Soybean Product License Agreement for the United States (with Varietal Development Rights), dated March 11, 2009; and
- Roundup Ready 2 Yield Soybean Addendum for the United States (with Varietal Development Rights), dated March 11, 2009.

Please let me know by Monday if these license agreements were, in fact, produced and, if so, where we can locate them in Monsanto's production. In addition, please let me know if Monsanto has made a full production of all the correspondence, both internal and exchanged with Syngenta and Dow, concerning the decision to enter into and the negotiation of these agreements. If Monsanto has not produced the agreements and all of the related correspondence, please let me know if Monsanto will agree to promptly produce the agreements and related correspondence, which are responsive to the document requests DuPont and Pioneer served in March.

Sincerely,

Amy J. Mauser

cc: Gail J. Standish, Esq.
James M. Hilmert, Esq.
Greg G. Gutzler, Esq.
Thomas F. Fleming, Esq.
Christopher T. Jagoe, Esq.
Christopher Hayes, Esq.